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**PATENTS****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/690,838 Conf. No. 5403  
Applicant : Danny Marshal Day *et al.*  
Filed : October 22, 2003  
TC/A.U. : 1754  
Examiner : Alvin T. Raetzsch  
Title : The Production and Use of a Soil Amendment Made By the Combined Production of Hydrogen, Sequestered Carbon and Utilizing Off Gases Containing Carbon Dioxide  
  
Docket No. : 10888.105001  
Customer No. : 20786

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

In response to the Notice of Non-Compliant Amendment mailed from the United States Patent and Trademark Office on August 3, 2006, for which a response is due without extension on September 2, 2006, Applicants, through their attorneys and agents, submit the following:

1. Response to Notice of Non-Compliant Amendment;
2. Certificate of Mailing; and
3. Postcard.

It is believed that the submission of these papers constitutes a complete response to the Non-Compliant Amendment. The Commissioner is authorized to charge any underpayment of fees and to credit any overpayment of fees to Deposit Account No. 11-0980.

Respectfully submitted,

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Date: August 16, 2006  
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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

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Sir:

This is in response to the Notice of Non-Compliant Amendment mailed August 3, 2006, for which a response is due without extension on September 3, 2006. Please consider the following remarks and amendments for the above-identified application.

**Amendment to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 6 of this paper.